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International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Defendant/Counterclaim-Plaintiff.

**[PROPOSED]  
ORDER RE EXTENSION OF  
DEADLINES**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Based upon the stipulation of the parties, and good cause appearing,

IT IS HEREBY ORDERED that the parties shall have an extension of time as follows:

Both parties' memoranda in opposition to the pending motions for summary judgment shall be due no later than 12 p.m. on November 11, 2006;

IBM's memorandum in opposition to SCO's motion for relief re spoliation shall be due no later than 12 p.m. on November 11, 2006;

Both parties' reply memoranda in support of the pending motions for summary judgment shall be due no later than December 22, 2006;

SCO's reply memorandum in support of its motion for relief re spoliation shall be due no later than December 1, 2006; and

Both parties' responses to all outstanding requests for admission shall be due no later than January 15, 2007.

The parties will not seek any further extensions of the deadline for memoranda in opposition to the pending summary judgment motions, regardless of the scheduling of the trial date.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

BY THE COURT

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Honorable Dale A. Kimball  
District Court Judge

APPROVED AS TO FORM:

HATCH, JAMES & DODGE, P.C.

Brent O. Hatch

Mark F. James

BOIES, SCHILLER & FLEXNER LLP

Edward Normand

/s/ Edward Normand

Counsel for Plaintiff

*(e-filed with authorization from counsel)*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7th day of November, 2006, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court and delivered by CM/ECF system to the following:

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\_\_\_\_\_/s/ Todd M. Shaughnessy\_\_\_\_\_